

GENERAL STATUTES

33

OF THE

STATE OF MINNESOTA,

IN FORCE JANUARY, 1891.

VOL. 1.

CONTAINING ALL THE LAW OF A GENERAL NATURE NOT
REMEDIAL, THE LATTER BEING IN VOL. 2.

COMPILED AND ANNOTATED

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CHAPTER 7.

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TITLE 1.

OF STATE OFFICERS.

For salaries of other state officers, see ch. 6.

SEC. 726. Governor.— The salary of the governor is hereby fixed at five thousand dollars per annum, which shall include house rent.

G. S. ch. 7, § 1, as amended 1867, ch. 100; 1874, ch. 111; 1878, ch. 70; 1885, ch. 40.

Secretary to governor.— From and after the passage of this act the salary of the governor's private secretary shall be one thousand five hundred dollars per annum.

G. S. ch. 7, § 1, as amended 1870, ch. 40.

Secretary of state.— The salary of the secretary of state "is thirty-five hundred (3500) dollars per annum, which shall also include his salary for superintending the public printing."

All fees and charges whatsoever hereafter paid into the office of the secretary of state, including all fees received by such officer during the months of January and February, eighteen hundred and eighty-seven (1887) (except fees for notary public appointment, which fees shall be paid to the private secretary of the governor from and after the passage of this act, and remain in force until January first (1st), eighteen hundred and eighty-nine (1889),) shall be turned over to the state treasury; and it shall be the duty of the secretary of state to make monthly statements in detail to the state auditor of fees received, and to pay the same to the state treasurer according to such statement; *provided*, that the fees so to be paid to the state treasurer, shall include all fees of whatever nature for every service rendered in said office, whether by the secretary, his assistant, or any clerk in the department.

G. S. ch. 7, § 1, as amended 1867, ch. 101; 1874, ch. 111; 1881, ch. 56; 1887, ch. 225. Approved March 4, 1887.

Assistant secretary of state.— The salary of assistant secretary of state is one thousand dollars per annum.

G. S. ch. 7, § 1, as amended 1867, ch. 101.

Clerk in office of secretary of state.— The secretary of state is hereby empowered to employ in his office a clerk, who shall receive for his services twelve hundred dollars per annum, to be paid out of the state treasury as other clerks of the state department are paid.

1876, ch. 96, § 1, as amended 1883, ch. 148. Amendment struck out \$1,000 and inserted \$1,200.

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SALARIES — STATE OFFICERS.

[SEC. 726.]

Recording clerk in office of secretary of state.—The secretary of state is hereby empowered to employ in his office a recording clerk, who shall receive for his services the sum of one thousand (1,000) dollars per annum, and the sum aforesaid is hereby annually appropriated out of any moneys in the treasury belonging to the general revenue fund for the payment of said salary.

1883, ch. 147, as amended 1885, ch. 290. Approved February 21st.

State auditor.—The salary of the state auditor is hereby fixed at two thousand dollars per annum.

G. S. ch. 7, § 1, as amended 1870, ch. 33; 1874, ch. 111; 1878, ch. 70.

Deputy state auditor.—That the salary of the deputy state auditor be and the same is hereby fixed at twenty-five hundred dollars (\$2,500) per annum and said sum is hereby annually appropriated for the payment of the same.

1887, ch. 234. Approved March 4th.

Chief clerk in auditor's office.—That the salary of the chief clerk in the state auditor's office, for the year one thousand eight hundred and eighty-one (1881), and annually thereafter, shall be two thousand dollars (\$2,000).

G. S. ch. 7, § 1, as amended 1870, ch. 41; 1881, ch. 161. Acts 1885, ch. 96 (*ante*, ch. 6), changed chief clerk to deputy auditor; hence this section may be superseded by acts 1887, ch. 234, *supra*.

Bookkeeper in auditor's office.—That the state auditor is authorized to employ a bookkeeper at a salary of fifteen hundred dollars (\$1,500) per annum.

1883, ch. 146. Approved March 1st.

State treasurer.—The salary of the state treasurer is three thousand five hundred dollars per annum.

G. S. ch. 7, § 1, as amended 1867, ch. 101; 1873, ch. 110; 1874, ch. 111.

Deputy state treasurer.—That the salary of the deputy state treasurer for the year A. D. one thousand eight hundred and eighty-two (1882), and annually thereafter, shall be eighteen hundred dollars (\$1,800).

1878, ch. 71, as amended 1881, Ex. S. ch. 47.

State treasurer's clerk.—That the sum of twelve hundred (1,200) dollars be and the same is hereby appropriated annually out of any moneys in the treasury belonging to the general revenue fund, for the payment of the salary of the state treasurer's clerk. Which annual salary is hereby fixed at twelve hundred (1,200) dollars.

G. S. ch. 7, § 1, as amended 1867, ch. 101; 1883, ch. 148; 1885, ch. 254; 1889, ch. 250.

Attorney general.—That the salary of the attorney general for the year one thousand eight hundred and eighty-five (1885) and annually thereafter shall be thirty-five hundred (3,500) dollars, and, in addition thereto, he shall receive ten dollars per day for each and every day of actual and necessary attendance upon court.

G. S. ch. 7, § 1, as amended 1870, ch. 33; 1874, ch. 111; 1878, ch. 70; 1881, ch. 159; 1885, ch. 241. Acts 1885 superseded first sentence of acts 1878, ch. 70, § 1, but not the provision of \$10 per day for attendance upon courts. Acts 1868, ch. 39, gave \$10 per day for attendance upon courts.

Attorney general's clerk.—The salary of attorney general's clerk is fifteen hundred dollars per annum.

1867, ch. 101, as amended 1881, Ex. S. ch. 49; 1887, ch. 252.

Judges of supreme court.—The judges of the supreme court shall each receive a salary of five thousand (5,000) dollars per annum.

G. S. ch. 7, § 1, as amended 1867, ch. 99; 1875, ch. 136; 1889, ch. 112.

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SEC. 726.]

SALARIES — STATE OFFICERS.

Clerk of supreme court.— The salary of the clerk of the supreme court is hereby fixed at fifteen hundred dollars per annum, to be computed at that rate from and after January first, A. D. eighteen hundred and seventy-three.

G. S. ch. 7, § 1, as amended 1873, ch. 111.

Deputy clerk.— The clerk of supreme court is hereby empowered to employ in his office a deputy clerk, who shall receive for his services the sum of one thousand dollars (\$1,000) per annum, and the sum aforesaid is hereby annually appropriated out of any moneys in the treasury belonging to the general revenue fund for the payment of said salary.

1881, ch. 160. Approved February 26, 1881.

Reporter of supreme court.— That the reporter of the supreme court be in lieu of the copyright heretofore held by him and as a compensation for his services as such reporter, shall receive an annual salary of fifteen hundred dollars (\$1,500).

G. S. ch. 7, § 1, as amended 1867, ch. 101; 1881, ch. 103, § 9.

Librarian.— That the sum of two thousand dollars (\$2,000) be and the same is hereby appropriated annually, out of any moneys in the treasury belonging to the general revenue fund for the payment of the salary of the state librarian, which annual salary is hereby fixed at the sum of two thousand dollars (\$2,000).

G. S. ch. 7, § 1, as amended 1870, ch. 42; 1874, ch. 111; 1873, ch. 70; 1881, ch. 174.

Adjutant general.— The salary of the adjutant general for the year one thousand eight hundred and eighty-seven (1887) and annually thereafter shall be two thousand (2,000) dollars per annum, and, in addition thereto, such sum or sums of money as may be by him necessarily expended in the care and management of the arms and other military equipments belonging to the state.

G. S. ch. 7, § 1, as amended 1867, ch. 101; 1874, ch. 111; 1887, ch. 213. The latter act superseded the salary but not the provision as to expenses.

Adjutant general's clerk.— The salary of adjutant general's clerk is twelve hundred dollars per annum.

1867, ch. 101.

Military storekeeper.— The salary of the military storekeeper is hereby fixed at twelve hundred dollars (\$1,200) per annum from the first (1st) day of January, A. D. eighteen hundred and eighty-three (1883).

1883, ch. 149. Approved February 21st.

Superintendent of public instruction.— That the superintendent of public instruction be required to appoint an assistant, who shall be known as assistant superintendent, to perform such service in the department as may be assigned him by the superintendent, and that his salary be fifteen hundred dollars (\$1500) per annum.

1883, ch. 145, § 1. Approved March 3d.

Clerical assistance.— That the superintendent of public instruction be allowed sixteen hundred (1600) dollars per year for necessary clerical assistance.

1883, ch. 145, § 2, as amended 1887, ch. 233. Acts 1883 allowed \$50 per month or \$600 per year.

Land commissioner.— The salary of the state land commissioner is sixteen hundred dollars per annum.

G. S. ch. 7, § 1, as amended 1867, ch. 101; 1874, ch. 111; 1885, ch. 36.

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SALARIES — DISTRICT AND COUNTY OFFICERS. [SECS. 727, 728.]

Clerk in land office.— That the salary of the clerk of the state land office for the year one thousand eight hundred and seventy-seven, and thereafter be fixed at fifteen hundred dollars per annum.

G. S. ch. 7, § 1, as amended 1877, ch. 100.

Assistant clerk.— That the commissioner of the state land office is authorized to employ an assistant land clerk at a salary of twelve hundred dollars (\$1200) per annum.

1883, ch. 146. Approved March 1st.

Clerk for insurance commissioner.— The insurance commissioner is hereby empowered to employ, in his office, a clerk, who shall receive for his services fifteen hundred dollars per annum, to be paid out of the state treasury as other clerks of the state department are paid.

1875, ch. 104, approved March 9th, as amended 1878, ch. 70; 1887, ch. 253. Act 1875, ch. 104, was § 277, ch. 34, G. S. 1878, which was amended and repealed by 1889, ch. 245, without mentioning acts 1878, ch. 70, or 1887, ch. 253.

TITLE 2.

OF DISTRICT OFFICERS.

SEC. 727. Judges of district court.— The salary of each of the judges of the district court is thirty-five hundred dollars (\$3500) per annum.

G. S. ch. 7, § 2, as amended 1867, ch. 100; 1881, ch. 56. District attorney 12th district, 1881, ch. 139. Repealed.

TITLE 3.

OF COUNTY OFFICERS.

For salary probate judge, see ch. 9; county auditor and treasurer, ch. 8; county superintendent of schools, ch. 36.

SEC. 728. Salary of county attorneys.— The county attorneys shall receive a salary of not exceeding two thousand dollars per annum, to be fixed by the board of county commissioners,* and paid quarterly from the treasury of the county, upon the warrant of the county auditor: *provided*, that any county attorney feeling himself aggrieved by the act of the county commissioners in fixing such salary, may appeal to the district court of the proper county, by filing with the county auditor thereof a notice of such appeal, within thirty days after such salary shall have been so fixed by such board of commissioners, or, in case the same shall have been fixed at any time prior to the passage of this act, then within thirty days after the passage thereof. And the judge of said court, upon such appeal being taken as aforesaid, shall, either in term time or in vacation, upon the application of such attorney, eight days' notice thereof being given to the chairman of such board of commissioners or the county auditor, proceed to determine such appeal in a summary manner, and shall allow such sum for such salary as he shall deem just and reasonable (not exceeding twelve hundred dollars per annum), and shall make an order therefor, to be filed in the office of the county auditor; and the amount so determined upon shall be the salary of such county attorney, from the time of the fixing of the salary by such county commissioners from which such appeal

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SECS. 729, 730.]

SALARIES — STANDING APPROPRIATIONS.

was taken, to the end of the term for which such salary was so fixed, and for which such county attorney was elected, unless altered or changed by such court or judge, for good cause shown.

G. S. ch. 7, § 3, as amended 1870, ch. 33; 1885, ch. 17. Amendment of 1870 below *. Acts 1885 increased the sum from \$1,200 to \$2,000. 34 M. 555.

SEC. 729. Salaries payable monthly.— The salaries of the county attorneys, judges of probate and county superintendents of public schools shall be paid monthly from the treasury of the county, upon the warrant of the county auditor.

1881, ch. 126, approved February 19, 1881. Repealed all inconsistent acts.

TITLE 4.

STANDING APPROPRIATIONS.

SEC. 730. Appropriations for salaries.— That the following sums of money, or so much thereof as may be necessary, be and the same are hereby annually appropriated out of any moneys in the treasury belonging to the general revenue fund for the payment of the salaries of the officers of the state government.

1874, ch. 114: "An act to appropriate money for the payment of the salaries of the officers of the state government." Approved March 5, 1874.

Governor.— For salary of the governor, five thousand dollars (\$5,000).

1874, ch. 114, as amended 1878, ch. 29; 1885, ch. 40.

Secretary of state.— For salary of the secretary of state and superintendent of public printing, thirty-five hundred dollars.

1874, ch. 114, as amended 1887, ch. 225.

State auditor.— For salary of the state auditor and land commissioner, three thousand dollars.

1874, ch. 114, as amended 1878, ch. 29; 1885, ch. 36.

State treasurer.— For salary of the state treasurer, three thousand five hundred dollars.

1874, ch. 114.

Attorney general.— For salary of the attorney general, thirty-five hundred dollars.

1874, ch. 114, as amended 1878, ch. 29; 1881, ch. 159; 1885, ch. 241.

Adjutant general.— For salary of the adjutant general, fifteen hundred dollars.

1874, ch. 114. Salary is \$2,000 by acts 1887, ch. 213.

Superintendent public instruction.— For salary of the superintendent of public instruction, twenty-five hundred dollars.

1874, ch. 114. Assistant \$1,600 by acts 1883, ch. 145.

Railroad commissioner.— For salary of each railroad commissioner, three thousand dollars.

1874, ch. 114, as amended acts 1887, ch. 10, § 19 (*ante*, ch. 6).

Insurance commissioner.— For salary of the insurance commissioner, two thousand dollars.

1874, ch. 114. By acts 1889, ch. 245, commissioner's salary is \$2,500 and deputy's \$1,500.

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SALARIES — STANDING APPROPRIATIONS.

[SEC. 730.]

Librarian.— For salary of the librarian, two thousand dollars.

1874, ch. 114, as amended 1878, ch. 29; 1881, ch. 174.

Janitor.— For salary of janitor, twelve hundred dollars.

1874, ch. 114, as amended 1877, ch. 54.

Engineer — Fireman — Watchman.— For salary of the engineer, twelve hundred dollars (\$1,200), and for salary of fireman and day laborer, seven hundred and twenty dollars (\$720), and for salary of assistant engineer and night watchman, three hundred dollars (\$300).

1874, ch. 114, as amended 1879, ch. 32. By acts 1879, ch. 100 (*ante*, ch. 6), salary of fireman and assistant engineer \$75 per month each.

Military store keeper.— For salary of the military store keeper, four hundred dollars.

1874, ch. 114. Acts 1883, ch. 144, fixed salary at \$1,200.

Governor's private secretary.— For salary of the governor's private secretary, fifteen hundred dollars.

1874, ch. 114.

Assistant secretary of state.— For salary of the assistant secretary of state, one thousand dollars.

1874, ch. 114.

Statistician.— For salary of the statistician, one thousand dollars.

1874, ch. 114.

Chief clerk of state auditor.— For salary of the chief clerk of state auditor, two thousand dollars.

1874, ch. 114, as amended 1881, ch. 161. Deputy auditor, \$2,500, by acts 1887, ch. 234.

Land clerk.— For salary of the land clerk, fifteen hundred dollars.

1874, ch. 114, as amended 1878, ch. 31.

Clerks in auditor's office.— For salary of additional clerks in the state auditor's office, one thousand dollars.

1874, ch. 114.

Deputy treasurer.— For salary of the deputy treasurer, eighteen hundred dollars.

1874, ch. 114, as amended 1881, Ex. S. ch. 47.

Clerk superintendent public instruction.— For salary of clerk of the superintendent of public instruction, twelve hundred dollars.

1874, ch. 114.

Clerk for attorney general.— For salary of clerk of the attorney general, fifteen hundred dollars.

1874, ch. 114, as amended 1881, Ex. S. ch. 49; 1887, ch. 252, which provides that the word "twelve" in act of 1881, Ex. S. ch. 49, be stricken out and the word "eighteen" inserted.

Judges.— For salaries of the judges of the supreme and district courts, ninety-seven thousand (97,000) dollars.

1874, ch. 114, as amended 1879, ch. 32; 1881, ch. 80; 1881, Ex. S. ch. 97; 1885, ch. 98.

Clerk supreme court.— For salary of clerk of the supreme court, fifteen hundred dollars.

1874, ch. 114.

Reporter of supreme court.— For salary of the reporter of the supreme court from and after the first day of January next, A. D. one thousand eight hundred and eighty-two (1882), fifteen hundred dollars (\$1,500).

1874, ch. 114, as amended 1881, Ex. S. ch. 41; 1881, Ex. S. ch. 97. Acts 1881, Ex. S. ch. 41, provided that the salary should be \$1,500, to take effect from and after December 31, 1881. Acts 1881, Ex. S. ch. 97, does not mention acts 1881, Ex. S. ch. 41.

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SALARIES — STANDING APPROPRIATIONS.

Marshal of supreme court.— For salary of the marshal of the supreme court, two hundred dollars.

1874, ch. 114.

Messenger.— For salary of messenger, six hundred dollars.

1874, ch. 114, as amended 1879, ch. 32.

Insurance clerk.— For salary of insurance clerk, twelve hundred dollars (\$1,200).

1874, ch. 114, as amended 1879, ch. 32. Acts 1887, ch. 253, fixed salary at \$1,500.

Clerk of secretary of state.— For salary of the clerk of the secretary of state, twelve hundred dollars (\$1,200).

1874, ch. 114, as amended 1879, ch. 32; 1883, ch. 148.

Superintendent of labor.— For services of superintendent and labor on experimental fruit farm, one thousand dollars (\$1,000).

1874, ch. 114, as amended 1879, ch. 32.

Public examiner.— For salary of the public examiner, thirty-five hundred dollars (\$3,500).

1874, ch. 114, as amended 1879, ch. 32.

Auditor's bookkeeper.— For salary of the bookkeeper in state auditor's office, fifteen hundred dollars (\$1,500).

1874, ch. 114, as amended 1883, ch. 146.

Assistant land clerk.— For salary of assistant land clerk in the state land office, twelve hundred dollars (\$1,200).

1874, ch. 114, as amended 1883, ch. 146.

For recording clerk in office of secretary of state, one thousand dollars.

1885, ch. 290.

For deputy clerk of supreme court, one thousand dollars.

1881, ch. 160.